UNITED STATES DISTRICT COURT

ORIGINAL

EASTERN DISTRICT OF NEW YORK

William DiGianni, Plaintiff Pro-se, 1760

-against-

COMPLAINT FOR RETALIATION UNDER THE EMPLOYMENT DISCRIMINATION ANTI-RETALIATION CLAUSE

Jury Trial Demanded

Pearson, Pearson Education. Richard Mills Commissioner for New York State Department of Education, New York State Department of Education, American International Group, Defendants.

MAUSKOPF, J. ELOOM, M.J.

This action is brought for adverse actions taken against me by the defendants under TITLE V of the Civil Rights Act of 1964, because they retaliated against me for having filed complaints for employment discrimination, pursuant to:

Title V of the Civil Rights Act of 1964, as codified, 42 USC Sections 2000e to X 2000e-17, which has Title V as an Anti-Retaliation Clause.

Parties in the complaint I.

A.

Plaintiff

William DiGianni

2147 83rd Street

Brooklyn

New York, 11214 (917) 213-8335

GuillermoD05@aol.com



B.

Defendants:

New York State Department of Education

89 Washington Avenue Albany, New York 12234 Richard Mills Commissioner for New York State Department of Education 89 Washington Avenue Albany, N.Y. 12234

Pearson 330 Ave. of the Americas New York, N.Y. 10019

Pearson Education (a Division of Pearson) One Lake Street Upper Saddle River, N.J. 07458 (201) 236-7000

American International Group 175 Water Street New York, N.Y. 10038

C. The address where the adverse actions the defendants took against me out of Retaliation for having filed Title VII complaints for employment discrimination is:

William DiGianni 2147 83rd Street Brooklyn, N.Y. 11214 (917)213-8335

II. Statement of Claim:

A. The adverse action I complain about in this action that the defendants took against me

was out of <u>Retaliation</u> for my having filed Title VII Civil Rights complaints for employment discrimination the past.

B. It is my best recollection that the alleged adverse actions taken against me by:

New York State Department of Education, Richard Mills, Commissioner for New York State Department of Education, Pearson, and Pearson Education (A Division of Pearson) occurred on: November 7, 2008; and

American International Group, occurred on December 25, 2008.

C. I believe that the defendants are still committing these acts against me.

- D. Defendants took adverse actions against me out of Retaliation because I had filed Title VII Civil Rights cases for employment discrimination in the past.
- E. The facts of my case are as follow:

I am an individual who has filed statutory Title VII complaints under the Civil Rights Act of 1964 for employment discrimination in EEOC, OCR and in Federal Court.

New York State Department of Education, Richard Mills, the Commissioner for the New York State Department of Education, Pearson, and Pearson Education (A Division of Pearson) knew that I had filed Title VII complaints under the Civil Rights Act of 1964 for employment discrimination in the past; and

These defendants retaliated against me for doing so, in this action that took place on November 7, 2008, when they denied me the alternative testing accommodations I had requested to take the New York State Teacher Certification Examinations to meet my needs; and

These defendants took further adverse action against me when the reason they gave was mere PRETEXT; and

The adverse action these defendants took against me prevented me from being employed as a teacher or even a teacher assistant anywhere in the State of New York; and because

I took their actions against me to have been aversive and retaliatory against me, just because I had filed those Title VII complaints in the past.

American International Group knew that I had filed Title VII complaints under the Civil Rights Act of 1964 for employment discrimination in the past, at least because of a prior Title V case for Retaliation under the Employment Discrimination Anti-Retaliation Clause I had filed against them in the past; and

This defendant took adverse action against me on <u>December 25, 2008</u> when they refused to let me complete my on-line application for employment with them – just because they didn't want to hire a troublemaker; and

This defendant would not let me access my on-line application any further; and because

I took their actions against me to have been aversive and retaliatory against me, just because I had filed those Title VII complaints in the past.

III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendants' alleged aversive Retaliatory actions under Title V for Retaliation under the Employment

Discrimination Anti-Retaliation Clause on: <u>February 2, 2009</u>, not for any sense of "rehashing." These are separate cases which took place at different times.

B. The Equal Employment Opportunity Commission issued Notices of Right to Sue letters, which I received on <u>February 27, 2009</u>.

IV. Relief:

Wherefore, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs as follows: in the amount of at least \$5,000,000.00 (five million dollars) each, as well as punitive damages and exemplary charges, each, as the jury may allow.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 24th day of April , 20 29.

Signature of Plaintiff:

Address

2147 83rd Street

Brooklyn, N.Y. 11214

Telephone Number

E-Mail address

GuillermoD05@aol.com

Fax Number

347-374-6325

(917)213-8335

MENG O. YONG

NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN KINGS COUNTY REG. NO. 01Y06190048

MY COMMISSION EXPIRES 07-07-2042

Apr-22-2009 01:11pm From-EEOC-NY00 [6] +2123363790 T-070 P.002/002 F-918 Case 1:09-cv-01760-RJD-LB Document 1 Filed 04/29/09 Page 5 of 15 PageID #: 5

REOC Form 181 (2/08)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

| DISMISSAL AND NOTICE OF RIGHTS | | | | | | | |
|--|---|--|-----------------------------------|---|--|--|--|
| To: William DiGianni 2147 83rd Street Brooklyn, NY 11214 | | | From: | New York District Off 33 Whitehall Street 5th Floor New York, NY 10004 | ice | | |
| | On bel | nelf of person(s) aggrieved whose identit DENTIAL (29 CFR §1601.7(s)) | y is | | | | |
| EEOC Charge | No. | EEOC Representative | | | Telephone No. | | |
| | | John B. Douglass, | netor | | (212) 336-3765 | | |
| 520-2009-0 | | Supervisory Investig | | NAME OF A SOAL | (2111) | | |
| THE EEOC | : IS CLOSING I | T8 FILE ON THIS CHARGE FO | R THE FOLL | WING REASON: | noc | | |
| | The facts ellege | d in the charge fail to state a claim u | nder any of the | statutes enforced by the ∈ | 200. | | |
| | Your allegations | did not involve a disability as define | id by the Americ | ans With Disabilities Act. | | | |
| | The Responden | t employs less than the required nur | nber of employs | es or is not otherwise cove | ored by the statutes. | | |
| | Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge | | | | | | |
| X | The EEOC issu | es the following determination: Bained establishes violations of the stablishes violations of the stablishes as to any other issued as the instance of t | manites. I this do | MES NOT CERTIFY THEIR THE TASK | CHINGER IS IN COMPANIENCE AND | | |
| | | adopted the findings of the state or | | | | | |
| | Other (briefly st | ate) | | | | | |
| | • . | - NOTICE O | F SUIT RIGI- ormetion attached | ITS - to this form.) | | | |
| notice of d | Ismissal and of based on this tice; or your rigi | with Disabilities Act, and/or the your right to sue that we will se charge in federal or state court. It to sue based on this charge w | ng you. You! Your lewsuit | may nie a izwouii ayari must be filed WITHIN | 20 DAYS of your receipt | | |
| alleged EP | 'A underpaymen | PA suits must be filed in federal t. This means that backpay du ot be collectible. | or state court e for any viol | within 2 years (3 years ations that occurred <u>m</u> | for willful violations) of the ore than 2 vears) | | |
| | . • | On t | cehalf of the Co | mmission | | | |
| | | DA | المرا | 0 | 2/27/26 | | |
| Enclosures(| · (5) | Spence | er H. Lewis, J Director | r., | (Dete Mailed) | | |

OC:

PEARSON EDUCATION

Attn: Human Resources Director 1330 Avenue Of The Americas

New York, NY 10019

se 1:09-cv-01760-RJO-LB Document 1 Filed 04/29/09 Page 6 of 15 PageID #: 6 Charge Presented To: Agency(ies) Charge No(s): CHARGE OF DISCRIMINATION ☐ FEPA This form is affected by the Privacy Act. See enclosed Privacy Act. 520 2009 OILI Statement and other information before completing this form. EEOC. and EEOC State or local Agency, If any 2147 Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.) Phone No. with Area Code No. Employees, Members PEACSON Phone No. with Area Code ☐ SEX RACE COLOR RELIGION NATIONAL ORIGIN DISABILITY CONTINUING ACTION OTHER (Specify below) THE PARTICULARS ARE IT additional poper is general attach entry sheet(s):

I Am an individual with a qualifying disability who has filed Title III Couplant and CRA 1969 in

Rasion's Confirm Education to ON AVERSE Action against me feelered against and

Rasion's Confirm they desired one the testing accommodation I had Requested to throath NYSTOF

million / CS, when They desired one the testing accommodation I had Requested to throath NYSTOF

tender confirmation expans they administration NYS Door - To most my Needed They did this

tender confirmation expans they administration NYS Door - To most my Needed They did this

tender confirmation expans they administration NYS Door - To most my Needed They did this

tender confirmation expans they Almen I filed staurally Title III complaint what the CRA 11464

In the fast - IN Feteral againstess and Course - because they were file traducts, under NET in

If about the past. The reason they gave was also proposive to me - It was avere PROTENT The AVERSE AFTER READON REASON SI TOOK AGAINST ME PREVENTS NO from being employed as A contisted rock in New York STATE

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change m y address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

0/0/09

Theoretical County County on

SUBSCRIBED AND SWORN TO BEFORE METHIS DATE

(month, day, year)

1:09-cv-01760-RJD/LB Document 1 Filed 04/29/09 Page 7 of 15 PageID #: 7

U.S. Eu_al Employment Opportunity Com. Ssion New York District Office

33 Whitehall Street 5th Floor New York, NY 10004 (212) 336-3620 TDD: 1-800-669-6820 FAX (212) 336-3625 1-800-669-4000

Respondent: PEARSON EDUCATION EEOC Charge No.: 520-2009-01611

FEPA Charge No.:

February 24, 2009

William DiGianni 2147 83rd Street Brooklyn, NY 11214

Dear Mr. DiGianni:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- [X] Title VII of the Civil Rights Act of 1964 (Title VII)
- [] The Age Discrimination in Employment Act (ADEA)
- [] The Americans with Disabilities Act (ADA)
- [] The Equal Pay Act (EPA)

You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

New York State Division Of Human Rights

Federal Contract Unit One Fordham Plaza, 4 Fl. Bronx, NY 10458

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,

Roxanne Zygmund

Investigator (212) 336-3766

Office Hours: Monday - Friday, 8:30 a.m. - 5:00 p.m.

www.eeoc.gov

Enclosure(s)

1:09-cv-01760-R3D-LB Document 1 Filed 04/29/09 Page 8 of 15 PageID #: 8 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

| 161 (| 2(90) | 0.0. 240/12 1 | | _ | |
|--|---|---|-------------------------|--|--|
| | • | DISMISSAL AND NOT | ICE OF | | |
| 2147 | m DiGianni 83rd Street klyn, NY 11214 | | From: | New York District Offi 33 Whitehall Street 5th Floor New York, NY 10004 | C e |
| | On bel | half of person(s) aggrieved whose identity is IDENTIAL (29 CFR §1601.7(a)) | | | Telephone No. |
| EEOC Charg | | EEOC Representative | | | relephone No. |
| | | Roxanne Zygmund, | | | (212) 336-3764 |
| 520-2009- | 01612 | Investigator | | NATING DEACON: | (2.1.) |
| THE EEO | C IS CLOSING I | TS FILE ON THIS CHARGE FOR TH | E FOLL | WING REASON: | -00 |
| | The facts allege | d in the charge fail to state a claim under a | any of the | statutes enforced by the Et | :00. |
| | | did not involve a disability as defined by t | | | |
| | | nt employs less than the required number o | | | |
| | discrimination to | ras not timely filed with EEOC; in other of the sour charge | | | |
| X | The EEOC issuinformation obtains the statutes. No | ues the following determination: Based of the statutes of the | at might b | e construed as having been | n raised by this charge. |
| | The EEOC has | adopted the findings of the state or local f | air employ | ment practices agency that | investigated this charge. |
| | Other (briefly s | tate) | | | • |
| | | - NOTICE OF SU (See the additional information | on attached | to this form.) | |
| notice of of federal law of this no be differen | dismissal and of w based on this otice; or your rig nt.) | with Disabilities Act, and/or the Age your right to sue that we will send you charge in federal or state court. You ht to sue based on this charge will be | ur lawsuit lost. (Th | t must be filed <u>WITHIN</u> te time limit for filing suit | 90 DAYS of your receipt based on a state claim may |
| alleged Fl | PA underbaymei | PA suits must be filed in federal or sent. This means that backpay due for not be collectible. | tate cour any viol | t within 2 years (3 years lations that occurred <u>m</u> | for willful violations) of the ore than 2 years |
| | - | | f of the Co | mmission | |
| | | SM2 | uis, | Qu. | 2/27/09 |
| | | | | ./ | ' (Date Mailed) |

Spencer H. Lewis, Jr.,

Director

NYS DEPARTMENT OF EDUCATION CC: Attn: Office Of Legal Services 89 Washington Avenue Albany, NY 12234

Enclosures(s)

| BOC Form 5 (5/01) | | | | | |
|--|--|----------------------|---|---------------------------------|--|
| CHARGE OF DISCRIMINATION | Charge Presented To: Agency(ies) Charge No(s): | | | | |
| This form is affected by the Privacy Act. See enclosed Privacy Act | ☐ FEPA | | | 7 | |
| Statement and other information before completing this form. | □ EEOC 520 200901612 | | | | |
| | | | | and EEOC | |
| Stote | or local Agency, if any | | - · · · · · · · · · · · · · · · · · · · | Date of Birth | |
| Norma Gradicate Mr., Ms., Mrs.) | | | • | 11/24/80 | |
| Screet Address | y, State and ZIP Code | | | | |
| 2147 83 ST. BROOK | 114N N. Y 112 | | | | |
| Named is the Employer, Labor Organization, Employment Agency, Apprentices | nip Committee, or State or Local Gov | ernment Agen | cy That I Beli | eve Discriminated Against | |
| Me or Others. (If more than two are named, list under PARTICULARS below.) | | No. Employees | | Phone No. with Area Code | |
| N EN YORK STATE DEPARTMENT of Educ | ation | 500 | 4. | | |
| Serget Address | y, State and ZIP Code | | | | |
| 89 WASHINGTON AVE ALE | ANY N.Y. 123 34 | No. Employee | Members | Phone No. with Area Code | |
| Name Without Miller Commission for Wantors | Some Deat of Fol | ivo, carpoyee | , | | |
| Street Address | ty, State and ZIP Code | <u></u> | | | |
| 89 WASHINGTON AVE. ALBAN | Y NY. 12234 | | | | |
| DISCRIMINATION BASED ON (Check appropriate bax(es).) | | | DATE(S) DISCRIN | ANNATION TOOK PLACE est, Latest | |
| RACE COLOR SEX REL | IGION NATIONA | LORIGIN | 111 | 107/08 | |
| | | | | ON PETROLE MALES A CENTRAL | |
| RETALIATION AGE DISABILITY | OTHER (Specify be | low) | | ONTINUING ACTION | |
| THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): | 11 27 2 1/11 0 | 16.71 | 1 | Light The | |
| THE PARTICULARS ARE OF additional paper is needed, attach extra sheets): I Am in INDIVIDUAL Who has filed STATU Civil Rights Act of 1964 in Lepast in E2 New York STILL DUPARTMENT of Educat NEW YORK STILL DUPARTMENT OF EDUCATION NEW YORK STILL DUPARTMENT OF EDUCA | 7.0 000 111 | 100 | - L.S | Errelasikant. | |
| Chil Rights Act of 1969 in the past in the | COCK GOOD IN 187 | Millett | 1 / Tok | MISCRIMITM . | |
| No tock Some Happyment of Educat | Ton, N. T. J. And Michael | Crair, C | 1 | Steward Follow | |
| New YORK STITE DYARTHANT OF EDUCATION AVERSE ACTION ACADAST ME | or 11/07/05 . when it | and provide | d pices pe | オース・フセンカルブ | |
| | | | | | |
| accommodations I had the | Title VII Compier | with the | CEA_{ij} | 1969 in The | |
| my weeds because I had filed similaring | attaile to | - Ar | 0 - 7£ | Reason. | |
| They KNew T did - becare | - 1.1 house MERE | PROT | œxΤ. | | |
| They gave me was turther av tell | by being him | -10/ | | i / | |
| past, they know I did become they was further averse perion NYS DOE TOOK AGA | HIST ME PROVENTS | me tra | " be, | of Completed | |
| The averse NO | | | | • | |
| as a conflict townik 1. F. | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| I want this charge filed with both the EEOC and the State or local Agency, if any. I will ad | vise the | or Local Agency Requ | irements | <u></u> | |
| agencies if I change my address or phone number and I will cooperate fully with them in processing of my charge in accordance with their procedures. | I swear or affirm that I have re | d the above char | ge and that it | is true to the best of my | |
| I declare under penalty of perjury that the above is true and correct. | knowledge, information and b | elief. | . • | | |
| 1 11 (3)// | SIGNATURE OF COMPENSANT | | | | |
| Isla a Clarker YILL | SUBSCRIBED AND SWORN TO BEFO | RE METHIS DATE | | | |
| The Charles Party Squature | (month, day, year) | | | | |
| / Note / | | | · · · · · · | | |



U.S. Equal Employment Opportunity Commission New York District Office

33 Whitehall Street 5th Floor New York, NY 10004 (212) 336-3620 TDD: 1-800-669-6820 FAX (212) 336-3625 1-800-669-4000

Respondent: NYS DEPARTMENT OF EDUCATION

EEOC Charge No.: 520-2009-01612

FEPA Charge No.:.

February 24, 2009

William DiGianni 2147 83rd Street Brooklyn, NY 11214

Dear Mr. DiGiànni:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- [X] Title VII of the Civil Rights Act of 1964 (Title VII)
- [] The Age Discrimination in Employment Act (ADEA)
- [] The Americans with Disabilities Act (ADA)
- [] The Equal Pay Act (EPA)

You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

[X] Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

New York State Division Of Human Rights Federal Contract Unit One Fordham Plaza, 4 Fl.

Bronx, NY 10458

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,

Roxanne Zygmund Investigator

(212) 336-3766

Office Hours: Monday - Friday, 8:30 a.m. - 5:00 p.m.

www.eeoc.gov

Enclosure(s)



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION New York District Office

33 Whitehall Street, 5th Floor New York, NY 10004-2112 For General Information: (800) 669-4000

TTY: (800)-669-6820 District Office: (212) 336-3630 General FAX: (212) 336-3625

William A. DiGianni 2147 83rd Street Brooklyn, NY 11214

Re: William DiGianni v. NYS Department of Education

EEOC Charge No: 520-2009-01612

Dear Mr. DiGianni:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence you submitted. Based on this evaluation, we can not conclude that you were subjected to an adverse employment action motivated by discriminatory animus as defined by Commission guidelines and federal law because the EEOC does not have jurisdiction over Title V.

Attached is your Dismissal and Notice of Rights. If you wish to pursue this matter further in federal court, your lawsuit must be filed within 90 days of your receipt of the Notice. Please contact John Douglass, Supervisory Investigator at (212) 336-3765 if you have any questions.

Sincerely,

Spencer H. Lewis, Jr.

District Director

Date

enc.

161 (2/08)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

| | 2147 | im A. DiG 83rd Stre klyn, NY ' | et . | Fron | 33 \ 5th | w York District Office Whitehall Street I Floor w York, NY 10004 | | |
|--|---|---|--|---|-------------------------------------|---|---|--|
| | | - | On behalf of person(s) aggrieved CONFIDENTIAL (29 CFR §1601. | | | | | |
| EEOC | Charg | e No. | EEOC Repre | | | Telephone | e No. | |
| | | | John B. D | - - | | | | |
| | 2009- | | | ry Investigator | | | 86-3765 | |
| THE | EEO | | ing its file on this ch | | | | | |
| Ļ | The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC. | | | | | | | |
| Your allegations did not involve a disability as defined by the Americans With Disabilities Act. | | | | | | | | |
| | The Respondent employs less than the required number of employees or is not otherwise covered by the statutes. | | | | | | | |
| | | Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge | | | | | | |
| | X | The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge. | | | | | | |
| | The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge. | | | | | | ed this charge. | |
| | | Other (bri | efly state) | | | | | |
| | | | | | | | | |
| | | • | | OTICE OF SUIT RIGH Editional information attached | | iorm.) | | |
| notice federa of this be diffe | of dis I law s noti erent.) | missal and based on ce; or you | d of your right to sue that we this charge in federal or start in right to sue based on this | ve will send you. You ate court. Your lawsuit charge will be lost. (The | may file must e time l | on in Employment Act: This le a lawsuit against the resp be filed WITHIN 90 DAYS limit for filing suit based on a | ondent(s) under of your receipt a state claim may | |
| alleged | d EPA | underpay | :. EPA suits must be filed a ment. This means that bac azy not be collectible. | n tederal or state court k pay due for any viol a | within i tions | 2 years (3 years for willful that occurred more than 2 | violations) of the years (3 years) | |
| | | • | | On behalf of the Cor | nmissio | on 2/27/ | , 5 9 | |
| Enclos | ures(s) | | | Spencer H. Lewis, Jr Director | - - | (Da | te Mailed) | |
| cc: | Att | n: Humai | NT'L GROUP (A.I.G.) Resources Director treet 18th Floor Y 10038 | | | | | |

Case 1:09-cv-01760-R3D-LB Document 1 Filed 04/29/09 Page 13 of 15 PageID #: 13

Charge Presented To: Agency(ies) Charge No(s): CHARGE OF DISCRIMINATION ☐ FEPA This form is affected by the Privacy Act. See enclosed Privacy Act Statement and other information before completing this form. 520 2004 01610 TX EEOC and EEOC State or local Agency, if any NOUN Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.) Phone No. with Area Code HMCRICON Street Address City, State and ZIP Code DISCRIMINATION BASED ON (Check appropriate box(es).) DATE(S) DISCRIMINATION TOOK PLACE RACE COLOR SEX RELIGION NATIONAL ORIGIN DISABILITY OTHER (Specify below) CONTINUING ACTION AM an individual who has filed Title III complaines when the Civil Right AcT JAM GO INDIVIDUAL WAS THEN TITLE VIT Complaints when the IVIT MIGHT INT

JAM GO INDIVIDUAL OF AND GOVERNOON (CERCADO) And IN Follows Complaints of SCHIMINATION,

AIG INOU IT I had filed title III complaints because they had as

defendants IN Follow Court in a prior case I had again they they had

learned of the Title III complaints I had filed in fordered against had

learned of the Title III complaints I had filed in fordered against al

Quest for complete My disconvention against of the defendants

All TOOK ANCOSE ACTION against we in 10/05/08, who they refused to

let me complete my on line application for employment with them - just because

they did not want to bire it thought myster.

All would not let me access my on-line application on further NOTARY – When necessary for State or Local Agency Requirements I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. I declare under penalty of perjury that the above is true and correct SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE





U.S. Ł _ual Employment Opportunity Col _ iission **New York District Office**

33 Whitehall Street 5th Floor New York, NY 10004 (212) 336-3620 TDD: 1-800-669-6820 FAX (212) 336-3625 1-800-669-4000

February 24, 2009

Respondent: AMERICAN INT'L GROUP (A.I.G.)

EEOC Charge No.: 520-2009-01610

FEPA Charge No.:

William A. DiGianni 2147 83rd Street Brooklyn, NY 11214

Dear Mr. DiGianni:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the abovenamed respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- [X] Title VII of the Civil Rights Act of 1964 (Title VII)
- [] The Age Discrimination in Employment Act (ADEA)
- [] The Americans with Disabilities Act (ADA)
- [] The Equal Pay Act (EPA)

You need do nothing further at this time. We will contact you when we need more information or assistance, A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

[X] Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

New York State Division Of Human Rights

Fèderal Contract Unit One Fordham Plaza, 4 Fl. **Bronx. NY 10458**

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely.

Roxanne Zygmund investigator

(212) 336-3766

Office Hours: Monday - Friday, 8:30 a.m. - 5:00 p.m. www.eeoc.gov

Enclosure(s)



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION New York District Office

33 Whitehall Street, 5th Floor New York, NY 10004-2112

For General Information: (800) 669-4000

TTY: (800)-669-6820

District Office: (212) 336-3630 General FAX: (212) 336-3625

William A. DiGianni 2147 83rd Street Brooklyn, NY 11214

Re: William DiGianni v. American International Group (A.I.G.)

EEOC Charge No: 520-2009-01610

Dear Mr. DiGianni:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence you submitted. Based on this evaluation, we can not conclude that you were subjected to an adverse employment action motivated by discriminatory animus as defined by Commission guidelines and federal law because the EEOC does not have jurisdiction over Title V.

Attached is your Dismissal and Notice of Rights. If you wish to pursue this matter further in federal court, your lawsuit must be filed within 90 days of your receipt of the Notice. Please contact John Douglass, Supervisory Investigator at (212) 336-3765 if you have any questions.

Sincerely,

Spencer H. Lewis, Jr.

District Director

2/27/09 Date

enc.